

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	GN Docket No. 16-142
Authorizing Permissive Use of “Next)	
Generation” Broadcast Television Standard)	

To: The Commission

REPLY COMMENTS OF FREE ACCESS & BROADCAST TELEMEDIA, LLC

Free Access & Broadcast Telemedia, LLC (“FAB Telemedia”), by counsel, hereby respectfully submits these Reply Comments in the above-captioned proceeding. FAB Telemedia is an investor in LPTV stations around the country. FAB Telemedia is committed to providing America’s substantial number of local, underserved, and often overlooked consumers with free residential and mobile services, both video and interactive, on an ad-supported basis, without subscription fees and related obligations. FAB Telemedia adds its voice in support of the future of low power television stations (“LPTV”) in the transition to ATSC 3.0 (hereinafter “Next Gen TV” or “ATSC 3.0”).

FAB Telemedia files these Reply Comments in support of the Comments of the Advanced Television Broadcasting Alliance (“ATBA”)¹ and ONE Media² regarding how the Federal Communications Commission (“FCC” or “Commission”) should be mindful of the unique needs of LPTV stations during the transition to the Next Gen TV standard. Specifically, FAB Telemedia supports (1) flexibility for LPTV stations with respect to the FCC’s proposed

¹ See Comments of the Advanced Television Broadcasting Alliance, GN Docket No. 16-142 (filed May 9, 2017).

² See Comments of ONE Media, GN Docket No. 16-142 (filed May 9, 2017).

simulcast requirements and (2) a broad mandate for new receivers to be manufactured as ATSC 3.0-capable.

I. FAB TELEMEDIA SUPPORTS THE COMMENTS OF ADVANCED TELEVISION BROADCASTING ALLIANCE AND ONE MEDIA REGARDING SIMULCASTING REQUIREMENTS FOR STATIONS THAT TRANSITION TO THE NEXT GEN TV STANDARD

In the notice of proposed rulemaking (“ATSC 3.0 NPRM”), the Commission sought comments about the “unique circumstances” of LPTV stations in transitioning to the Next Gen TV standard and specifically asked whether LPTV broadcasters would “have difficulty finding simulcast partners in a market” to fulfill the proposed requirement of finding a host station to simulcast the upgrading station’s broadcast in ATSC 1.0.³ FAB Telemedia appreciates the Commission’s question and supports the commenters who have indicated that it may be impossible or highly impractical for LPTV stations to find stations to serve as hosts of ATSC 1.0 simulcasts. Accordingly, LPTV stations should be granted broad flexibility to flash cut to ATSC 3.0 without simulcasting ATSC 1.0 programming and should be trusted to use their own judgment about the specific needs of the local communities they serve.

Alternatively, the Commission should require those LPTV stations that decide to flash cut to ATSC 3.0 to use their best effort to simulcast in the ATSC 1.0 standard based on the circumstances of the station and the local market. In any event, the Commission should ensure that LPTV stations are permitted both to be hosts of ATSC 1.0 simulcast signals for full power stations and to be hosted by full power stations if they opt to transition early to Next Gen TV.

Additionally, although the Commission has proposed that ATSC 1.0 simulcast programming be identical in content to ATSC 3.0 programming, simulcasting should not be

³ Authorizing Permissive Use of the "Next Generation" Broadcast Television Standard, Notice of Proposed Rulemaking, 32 FCC Rcd 1670 at 1671 ¶ 26 (2017).

subject to rigid requirements regarding indefinite term, content, format, and resolution as ATBA and ONE Media noted in their Comments regarding the ATSC 3.0 NPRM.⁴

II. FAB TELEMEDIA SUPPORTS THE COMMENTS OF ADVANCED TELEVISION BROADCASTING ALLIANCE AND ONE MEDIA REGARDING THE NEXT GEN TV TUNER MANDATE

In the ATSC 3.0 NPRM, the Commission asks whether a phased-in mandate should be introduced to require all new television receivers manufactured after a certain date to be capable of receiving ATSC 3.0 signal.⁵ This mandate should be adopted as advocated for by ATBA.

Further, the proposed tuner mandate should be adopted such that the requirement to be capable of receiving ATSC 3.0 signal would apply broadly to all devices designed to display television pictures *via* radiofrequency transmissions. This broad mandate should apply to mobile devices and should encompass any device that is designed to receive television pictures broadcast simultaneously with sound, as noted by ATBA.

As the devices that people actually use to watch television evolve rapidly, the Commission should ensure that newly manufactured television receivers of all kinds are capable of receiving ATSC 3.0 signal.

III. CONCLUSION

In the wake of the Commission's bumpy incentive auction, the exciting transition to Next Gen TV is a new day for the FCC that has the potential to present significant new opportunities for LPTV stations and the free public viewership communities they serve. FAB Telemedia appreciates Chairman Pai's April 5, 2017, announcement regarding the creation of an Office of Economics and Data ("OED")⁶ and FAB Telemedia is hopeful that OED's involvement in the

⁴ ATSC 3.0 NPRM at 1676-77 ¶ 11.

⁵ ATSC 3.0 NPRM at 1701 ¶ 72


⁶ <https://www.fcc.gov/document/chairman-pai-economic-analysis-communications-policy>

Next Gen TV transition will bring new substantive and quantitative analysis to the forefront regarding the benefits that LPTV stations will provide to their communities in the transition to Next Gen TV.

In sum, FAB Telemedia strongly supports the comments that have been filed recommending (1) maximal flexibility for LPTV stations regarding any simulcasting requirements during the transition to Next Gen TV and (2) a broadly applied mandate for new television receivers to be Next Gen TV-capable, including mobile devices, with an eye on evolving new services that benefit the public.

Respectfully submitted,

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